

## **ARTICLE IX**

### **SIGN REGULATIONS**

#### **SECTION I**

#### **GENERAL USE CONDITIONS**

#### **OFFICE, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS**

##### **1.1 Setbacks**

- A. No sign shall be erected, constructed, placed, or projected into or over any public right-of-way except that in the 0-1, 0-1P, C1 and C1-P zoned districts, projecting signs may extend into the right-of-way provided there is a vertical clearance of at least eight (8) feet above the sidewalk and the sign does not extend past the sidewalk. For locations adjacent to arterial streets, the right-of-way shall be defined as the ultimate right-of-way planned for the area as shown by the most recently adopted Comprehensive Plan for Broken Arrow. (Within 500 feet of an arterial street intersection, the ultimate right-of-way is 70 feet from the section line. Beyond 500 feet of the arterial street intersection, the ultimate right-of-way for major arterial streets is 60 feet from the section line, and for minor arterial streets the ultimate right-of-way is 50 feet from the section line.) For locations adjacent only to non-arterial streets, the right-of-way shall be defined as the actual area that is publicly owned, designated, or dedicated as right-of-way or as easement for one or more streets.
- B. Except for identification signs, no permanent free standing signs, projecting signs or wall signs shall be located within fifty (50) feet of any residentially zoned district. Provided that districts containing solely streets, railroads, or highways, but not containing residentially used adjacent properties, shall not be considered for purpose of setbacks.
- C. Any sign located within one hundred (100) feet of a residentially zoned district shall be limited to a maximum height of eight (8) feet and shall not exceed sixty-four (64) feet of display area, regardless of set-back.
- D. No flashing, twinkling, or animated sign shall be located within twenty (20) feet of the proposed street right-of-way line as shown in the Comprehensive Plan, or within two hundred (200) feet of a designated residential development district.

- E. No sign shall exceed an illumination of seventy (70) foot candles as measured at a two (2) foot distance from the source of the illumination. Further, electric message centers making use of incandescent light (as opposed to light emitting diodes) for purposes of illumination, must be set back an additional twenty (20) feet from the minimum setback otherwise applicable. Incandescent lamp message centers shall not be programmed to function as a strobe in an on-and-off display mode. Incandescent lamp message centers must utilize a dimming feature that will dim the lights during dark hours to no more than eighty (80) percent of the normal watts used during daylight hours.
- F. Free standing signs shall be set back a minimum distance of ten (10) feet from any limited access highway or turnpike right-of-way.
- G. Except for public signs, no signs shall be located within twenty-five (25) feet of the point of intersection of the right-of-way of two or more public streets, nor within twenty-five (25) feet of the intersection of a public street right-of-way and a private street or driveway, nor within the median of a divided driveway for a distance of twenty-five (25) feet from the entrance to the public street right-of-way.
- H. All free standing signs or projecting signs, shall maintain a minimum separation of thirty (30) feet from any existing freestanding sign or projecting sign. Further, wall signs or projected signs shall not exceed the height of the parapet of the building to which they are fixed. Provided, where architectural features of the building will not permit a wall sign at least three (3) feet in height, a wall sign may be extended above the parapet of the building wall a distance sufficient to permit a sign of three (3) feet in height.

## 1.2 Height

- A. The height of free standing signs shall be measured from the grade where the sign is located and shall not exceed twenty (20) feet in height except as modified by the following: additional height may be granted for additional setbacks, measured from the ultimate right-of-way line on a one (1) foot vertical to a two (2) foot horizontal basis, to a maximum of thirty (30) feet. On lots that abut a designated turnpike or limited access highway, the height of the sign may be increased to fifty (50) feet provided the sign is located within one-hundred (100) feet of the turnpike or limited access highway right-of-way line.
- B. Any sign that projects over a pedestrian walkway shall have a minimum of eight (8) feet of clearance.
- C. Any sign that projects over a vehicular access area shall have a minimum of fourteen (14) feet of clearance.

### 1.3 Size

#### A. Single Sign Per Lot with Turnpike or Highway Frontage

Within property adjacent to a limited access highway or turnpike, signs shall not exceed an aggregate display surface area of three (3) square feet per each linear foot of limited access highway or turnpike frontage

#### B. Multiple Sign Per Lot with Turnpike or Highway Frontage

Within property adjacent to a limited access highway or turnpike, signs shall not exceed an aggregate display surface area of two (2) square feet per each linear foot of limited access highway or turnpike frontage.

#### C. Wall signs in the C-1 or C1P, districts shall have an aggregate display area not to exceed three (3) square feet for each linear foot at the front building wall of the building. Wall signs in the O-1, O-1P, O-2 and O-3 districts shall have an aggregate display area not to exceed one (1) square foot for each linear foot at the front building wall of the building.

#### D. All Other Signs Per Lot

Except as otherwise set out herein, lots with one (1) ground sign shall not exceed an aggregate display area of two (2) square feet per lot frontage. Lots with multiple ground signs shall not exceed an aggregate display area of one (1) square foot per lot frontage. Wall signs and projecting signs may utilize an aggregate display surface area of three (3) square feet per lot frontage.

#### E. Only one side of a double-faced sign shall be included in the computation of display service area. Double-sided signs may be separated, as long as the interior angle formed by the intersection of the two display surfaces shall not exceed thirty (30) degrees.

#### F. In computing the permitted display surface area for signs, the linear footage of an abutting minor or residential street shall not be combined with the linear footage of any collector street, arterial street, limited access highway or turnpike, which is being used to calculate the permitted display surface area.

#### G. No sign shall exceed five hundred (500) square feet of display surface area if being used by multiple users, nor three hundred (300) square feet if used by a single user.

#### H. Any sign located within two hundred (200) feet of a residential district shall not exceed three hundred (300) square feet in display surface area.

#### 1.4 Number of Signs

In C-1, C1-P, C-2, C-3, C-4, C-5, I-S, I-1, and I-2, no more than one sign per one hundred fifty (150) feet of limited access highway frontage, arterial street frontage, collector street frontage or a fraction thereof. On lots with multiple street frontages (i.e. corner lots, double frontage lots), the street frontage is not cumulative. In O-1, O1-P, O-2 and O-3, no more than one sign per one hundred (100) feet of limited access highway frontage, arterial street frontage, collector street frontage or a fraction thereof.

#### 1.5 Forbidden Lights and Representations

No sign containing facsimiles of traffic control devices of any sort shall be located within one hundred (100) feet of the point of intersection of two (2) or more public streets. No revolving red or blue lights shall be allowed. No sign containing light shall exceed an illumination of seventy (70) foot candles as measured at a two (2) foot distance from the source of the illumination.

#### 1.6 Public Easements

Signs may be erected within public utility easements and the unused portions of platted alleys under the following conditions:

- A. Sign structural poles shall not be located immediately over city owned utilities, i.e. waterlines, sanitary sewer lines, storm water lines, or facilities owned by the city that are located in public utility easements. Free standing signs may be placed in public drainage easements with the approval of the City Engineer.
- B. The construction of the sign must otherwise be lawful.
- C. Site plans submitted to the Planning Commission for site plan review that shows a sign placed in a utility easement, shall have the following note placed on the face of the site plan, "Property owner(s) assume all liability and replacement responsibilities for any damage to signs placed in utility easements".
- D. Sign placement within the public utility easement or alley should be done at the site owner's own risk, and with the express knowledge that the needs for the construction, reconstruction, maintenance and repair of the existing or future publicly owned or franchised utilities is a priority and dominant over the servant estate of the sign placement.
- E. The sign placed in a public utility easement must meet the setback requirements of Section 1.1. The sign shall be constructed so that no portion thereof projects over the street right-of-way, or blocks the site triangle at intersections or blocks the sidewalks to normal pedestrian or bicycle traffic.

- F. No sign, nor any portion or support thereof shall be placed within a drainage easement or drainage area without the written approval of the City Engineer, regardless of how the drainage easement or drainage area may have been created, obtained or conveyed and regardless of how the drainage easement or drainage area is designated, whether it is an easement, right-of-way, or any other type of designation.
- G. Signs to be constructed within easements shall as a precondition to the issuance of a permit, require the sign owner to submit a written statement which is either made a part of the plat, or has been recorded in the County land records, to the effect that a) the sign owner acknowledges the prior rights and status of the public, its trustees, and franchised utility owners; b) the property owner assumes all liability and replacement responsibilities for any damage to signs located within utility easements, as well as for any damage to subsurface or overhead facilities located within the easement, which may be harmed during construction, maintenance or repair of the signs; and c) the sign is subject to removal at sign owner's expense in the event that the City or a utility company has a need to construct, reconstruct, repair or maintain the utility at that location.

#### 1.7 Certain Signs Not Prohibited

The following signs shall not be prohibited by this ordinance if located outside the right-of-way, and further will not be included in the computation of display surface area for other permitted signs:

- A. One nameplate attached to the face of the wall of a building, not exceeding four (4) square feet in surface area.
- B. Temporary real estate signs on said property, indicating that said property is for sale or rent, not exceeding six (6) square feet of surface area in residential zoned areas and not exceeding thirty-two (32) square feet of surface area in agricultural, office, commercial, and industrial zoned areas.
- C. Temporary construction signs, which are faced to display along arterial street frontages, and not exceeding one-half of the square foot per each linear foot of arterial street frontage; however, such temporary construction signs shall never be restricted to less than thirty-two (32) square feet, no more than two hundred (200) square feet of display surface area, regardless of the amount of arterial frontage.
- D. Signs which are not visible from a public street.
- E. Tablets built into the wall of a building or other structure being used for inscriptions, memorials or similar historic or dedicatory purposes.

- F. Signs of a warning, directive or instructional in nature erected by any unit of government or any franchised utility.
- G. Legal notices required by law to be posted.
- H. Temporary signs dealing with an election campaign, if erected not more than forty-five (45) days prior to an election and removed within seven (7) days following the election and not exceeding sixteen (16) square feet of display surface area.
- I. Signs painted or posted on the surface of any window, when the display surface area of the sign does not cover more than twenty-five (25) percent of the window.
- J. Signs located inside a building and either oriented to be primarily visible from inside the building only, or located more than fifteen (15) inches from the window. Signs erected by private parties of a warning, directive or instructional nature and not exceeding three (3) square feet of display surface area, including entrance, exit and restroom signs.
- K. Signs, which are attached by the manufacturer and function as labels of commodities offered for sale.
- L. Signs located on accessory equipment or structures, which identify the manufacturer, make or model, and which are limited to fifteen (15) square inches or less for each piece of equipment or structure. By way of example and not by limitation, equipment may include satellite dishes, air conditioners, fence components and similar items.
- M. Street address numbers painted on the curb at the property owner's discretion.
- N. Directional (i.e. entrance/exit) signs that are less than four (4) square feet.

#### 1.8 Special Exemptions from Regulations

- A. Except as specified in Section 1.7, signs that have not been issued a sign permit shall not be located in any zoning district of the City. Provided that signs which were permitted by the City under previous sign regulations prior to the adoption of this ordinance, or signs which were permitted by the County under previous regulations prior to annexation may continue to exist and receive ordinary maintenance unless and until the use of the sign is discontinued for a period of six (6) months, or the structure of the sign is damaged or destroyed in excess of fifty (50) percent of its value, at which time such sign must be relocated in full conformity with the requirements of this ordinance.
- B. Provided that individual human beings exercising their First Amendment rights, under the U.S. Constitution or the free speech rights under the Oklahoma

Constitution, shall not be required to obtain permits for any sign so long as the sign is physically located on the lot of that individual's actual residence, or is being physically carried by that individual during the exercise of their First Amendment rights; provided that such an individual may not during the exercise of their First Amendment rights, block any public way, whether right-of-way, exclusive easement, general utility easement or the associated sight triangles required for traffic safety. The sign located on the residential property must either be attached physically to the wall of the house or placed in the yard not exceeding ten (10) feet in height.

#### 1.9 Sign Owner Identified

Each sign shall have a plaque, decal or other device located somewhere on the support or the surface of the sign which lists the name, address, phone number and other current contact information of the owner of the sign. The device must be readable to a person of ordinary height and vision at a distance of two (2) feet from the base of the sign, and the information must be printed in standard English block print. This device must be readily accessible to an inspector employed by the City, but does not have to be generally observable to the general public.

#### 1.10 Use Conditions in Planned Unit Developments (PUD)

Signs in planned unit developments (PUD) shall be governed by this Ordinance, but may be modified by the express terms of the PUD.

## SECTION 2

### **BANNER, MOBILE OR TEMPORARY SIGNS**

#### 2.1 Duration, Height and Location

- A. A banner, temporary or mobile business sign shall be permitted only as provided herein, and such permits should be limited to no more than four (4) per year for any single business. Such temporary or promotional signs shall be used for a period of no more than thirty (30) days on any one occasion, provided that the applicant may at the time of application request that all or any of the four (4) permitted time periods run consecutively. All banners, temporary, or mobile signs must have the owner's name, address and phone number affixed to the banner, temporary, or mobile sign at a location where it can be seen by inspectors, although it may be concealed from the public while on display in its ordinary manner.
- B. The height of banners, temporary, mobile, or promotional business sign shall not exceed the height specified in Section 1.2A and B. Any inflatable or temporary promotional signs shall be set back from the property line by one (1) foot horizontal distance for every one (1) foot of height of the sign as measured from the base of the sign.
- C. Signage as defined in this Section shall not be placed in a manner, which will interfere with the flow of vehicular and/or pedestrian traffic, or create traffic visibility hazards such as being placed in the sight triangles of the intersection of two (2) streets of the intersection of streets and driveways. A portable or promotional business sign must be anchored to the selected location sufficient to keep it from being moved by wind or storm.
- D. No signs shall be permitted to be located upon or within any required parking spaces or loading berths, nor shall it otherwise be located to obstruct vehicular and/or pedestrian access or circulation.
- E. Except for public signs, no signs shall be located within twenty-five (25) feet of the point of intersection of the right-of-way of two or more public streets, nor within twenty-five (25) feet of the intersection of a public street right-of-way and a private street or driveway, nor within the median of a divided driveway for a distance of twenty-five (25) feet from the entrance to the public street right-of-way.



## 2.2 Permits

Permits for banner, temporary or mobile signs shall be issued by the Building Inspector's office within five (5) business days of application. Permits shall be valid for periods specified in increments of not more than thirty (30) days and used within twelve (12) months from the date the first permit is issued; permits issued under this ordinance are not transferable, and may not be renewed by the permit holder or by others for that location within one (1) year. In no event may such sign be allowed to remain for more than one-hundred twenty (120) days under the same permit. City Staff may, at its discretion, telephone or otherwise contact the person in violation and advise that person of the violation.

## 2.3 Mobile Ground Sign Anchorage

No mobile ground sign shall be placed unless such sign is anchored at each support by a steel rod driven at least eighteen (18) inches into the ground, or unless said sign is attached by a steel chain having at least three-quarters (3/4) inch links or by a steel cable of at least one-half (1/2) inch diameter to a building or to a permanent ground sign, or similar upright supporting structure. Regardless of any other provisions to the contrary, all signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than forty (40) pounds per square foot of area, or of materials which are unlikely to become dangerous projectiles when propelled by windstorms.

## 2.4 Zoning

Signs as defined in this Section may be permitted in any commercial, office, or industrial zoning district.

## 2.5 Number of Signs

Signs as defined in this Section shall not exceed more than one sign at any given time per lot of record.

## **SECTION 3**

### **AGRICULTURAL AND RESIDENTIAL ZONING DISTRICTS**

#### 3.1 Use Conditions in Agricultural and Residential Districts

- A. Permanent free standing signs, which function as informational signs and are located on lots used for institutional uses such as educational, religious or charitable institutions, may be constructed and maintained as long as such signs do not exceed thirty-two (32) square feet of display surface area nor ten (10) feet in height. However, for the purposes of this subsection 3.1A only, the maximum display surface area and height may be increased to the standards contained in Section 1.0, of this Article, through a PUD or by the Specific Use Permit process, which shall be based upon the total linear foot of lot frontage. Illumination may be provided as long as it is made by constant light, does not exceed seventy (70) foot candles as measured as a distance of two (2) feet from the source of light.
- B. Wall signs shall be allowed on each side of the subdivision entrance where it intersects an adjacent arterial street or another subdivision. Signs shall not exceed thirty-two (32) square feet of display surface nor ten (10) feet in height. Illumination may be provided as long as it is made by constant light, does not exceed seventy (70) foot candles as measured as a distance of two (2) feet from the source of light. Where the entrance of a subdivision is by way of a boulevard with a divided median, the identification sign may be placed within the traffic island, as long as the sign is located at least twenty-five (25) feet from the point of intersection of the arterial street right-of-way.
- C. During the period of construction, a construction sign may be erected on each perimeter seat leading to the interior development, as long as the sign does not exceed ten (10) feet in height and illumination may be provided as long as it is made by constant light, does not exceed seventy (70) foot candles as measured as a distance of two (2) feet. Construction signs shall be removed on issuance of building permit for the construction of principle structures on seventy-five (75) percent of the available lots within the development.
- D. A sign not exceeding six (6) square feet of display surface area may be erected by the owner or occupier of each residence, as long as it is not more than ten (10) feet in height above the lot. However, the sign may not be placed within the boundaries of any public street, nor any utility easement, or within the site triangle of the intersection of two (2) streets or the intersection of a street and driveway. Such signs may not be used for commercial purposes within the residential zoning district. For purposes of identification only, the owner or tenant in possession of the property shall file a description of the sign's location, dimensions and the material from which it is constructed within five (5) days of the sign construction.

### 3.2 Use Conditions in Planned Unit Developments (PUD)

Signs in planned unit developments (PUD) shall be governed by this Ordinance, but may be modified by the express terms of the PUD.

**SECTION 4**  
**PERMIT PROCESS**

4.1 Permits

No sign, except campaign signs as described and real estate signs offering property for sale or for rent and having six (6) square feet or less of display surface, may be constructed or erected within the City, without first receiving a sign permit from the Building Inspection Office. Regarding permits for banners, mobile signs, or temporary signs, see Section 2.2. A sign permitted for use by a business on its own premises shall not thereafter be changed to an outdoor advertising sign without receipt of a permit for construction. Applications for sign permits must include:

- A. Proof of ownership or written permission of the owner of the lot upon which the proposed sign will be constructed.
- B. A sketch of the property showing the proposed sign location and all structures and easements and driveways.
- C. The proposed dimensions of the sign and a description of the method of supporting the sign.
- D. The measurement of distances from the proposed signs to the designated state or federal highway, turnpike, street or relevant boundary of different zoning districts from the district in which the proposed sign is to be located, however if the distance is greater than one thousand five hundred (1,500) feet, then no such measured distance is required to be reported, except that the applicant shall so state that the distance is greater than one thousand five hundred (1,500) feet.
- E. The name and business address of the licensed sign contractor, and the licensed electrical contractor if the sign is electrically powered.
- F. The name and contact information of the sign owner.

4.2 Denied Permits

In the event the Building Inspection Office denies the issuance of a permit, the applicant shall be notified as to the reasons for the denial within a reasonable time after the decision is made.

#### 4.3 Sign Contractors

Any contractor desiring to construct signs for others within the Broken Arrow city limits shall register their business name, business owner, address, phone number or other contact information, with the Building Inspection Office. Contractors who fail to register, or who fail to use licensed electricians, shall be subject to the penalties as described in Section 4.4.

#### 4.4 Penalties

The installation of any sign without a valid permit, except as allowed in 1.7 and 1.8B, shall be a Class B offense.

## **SECTION 5**

### **STANDARD PUBLIC SIGNS**

#### 5.1 Exemption for Governmental Public Signs

Standard public signs, as defined within the Zoning Code, are exempt from the regulations of this code when placed by any governmental entity.

## **SECTION 6**

### **ADDITIONAL REMEDIES**

#### 6.1 Abatement and Installation Requirements

- A. In addition to available penalties, violation of any portion of the Zoning Code may be abated as a public nuisance upon the order of the City Manager. However, the City Manager shall provide an appropriate pre-deprivation or post-deprivation hearing to the sign owner no later than fourteen (14) days following the abatement, and the sign structure shall be preserved by the City Manager until after said hearing. In the event that the abatement of a sign is determined to be improper at such a hearing, the City shall restore the sign on site at the City's sole expense. In the event that the abatement of a sign is determined to be proper at such hearing, or if the hearing is waived, the costs of abatement may be assessed in accordance with state law.
- B. All signs, which are permitted under this ordinance, or any future amendments thereto shall be installed by licensed signed contractors in accord with the locations and plans approved at the time of the Application.  
**(Ord 2585, adopted 12/1/03, eff 1/1/04)**